

AN ORDINANCE **98635**

INCREASING THE MONTHLY STORM WATER FEE BY AN AVERAGE OF 3.36% ACROSS ALL CUSTOMER CLASSIFICATIONS AND TIERS AS FOLLOWS: FOR RESIDENTIAL CUSTOMERS – (TIER 1) LOT SIZE OF ZERO TO 4,999 SQUARE FEET FROM \$2.25 To \$2.33; AND (TIER 2) LOT SIZE OF 5,000 OR MORE SQUARE FEET FROM \$2.98 TO \$3.08; FOR MULTIFAMILY CUSTOMERS – (TIER 1) LOT SIZE OF ZERO TO 21,999 SQUARE FEET FROM \$5.01 TO \$5.18; AND (TIER 2) LOT SIZE OF 22,000 TO 43,999 SQUARE FEET FROM \$15.68 TO \$16.21; AND (TIER 3) LOT SIZE OF 44,000 TO 131,999 SQUARE FEET FROM \$47.55 TO \$49.15; AND (TIER 4) LOT SIZE OF 132,000 OR MORE SQUARE FEET FROM \$226.28 TO \$233.88; FOR COMMERCIAL/GENERAL CUSTOMERS - (TIER 1) LOT SIZE OF ZERO TO 21,999 SQUARE FEET FROM \$12.83 TO \$13.26; AND (TIER 2) LOT SIZE OF 22,000 TO 43,999 SQUARE FEET FROM \$35.10 TO \$36.28; AND (TIER 3) LOT SIZE OF 44,000 TO 86,999 SQUARE FEET FROM \$62.91 TO \$65.02; AND (TEIR 4) LOT SIZE OF 87,000 TO 131,999 SQUARE FEET FROM \$108.42 TO \$112.06; AND (TIER 5) LOT SIZE OF 132,000 OR MORE SQUARE FEET FROM \$239.54 TO \$247.59; FOR PUBLIC CUSTOMERS - (TIER 1) LOT SIZE OF ZERO TO 21,999 SQUARE FEET FROM \$12.71 TO \$13.14; AND (TIER 2) LOT SIZE OF 22,000 TO 43,999 SQUARE FEET FROM \$34.76 TO \$35.93; AND (TIER 3) LOT SIZE OF 44,000 TO 86,999 SQUARE FEET FROM \$62.79 TO \$64.90; AND (TIER 4) LOT SIZE OF 87,000 OR MORE SQUARE FEET FROM \$106.15 TO \$109.72; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON APPROVAL BY EIGHT VOTES.

* * * * *

WHEREAS, Ordinance No. 77949, passed and approved by the City Council on May 13, 1993, established and implemented the initial monthly storm water fees and rate schedules to protect the health, safety and welfare of the community in response to the requirements of the Federal Water Quality Act of 1987; and

WHEREAS, Ordinance No. 90499, passed and approved on September 16, 1999, authorized an increase of fifteen percent (15%) in the monthly storm water fees across all customer classifications; and

WHEREAS, Ordinance No. 96515, passed and approved on October 3, 2002, authorized an increase of thirty percent (30%) in the monthly storm water fees across all customer classifications; and

WHEREAS, after public hearing on this day and due consideration, it is necessary to adjust storm water fees and rate schedules as part of the overall Fiscal Year 2004 budget development

process by increasing the monthly storm water fees by an approximate three and thirty-six hundredths of a percent (3.36%) across all customer classifications, which will generate an estimated \$632,088 in FY 2004, fund additional personnel and increase the frequency of storm water channel maintenance; and

WHEREAS, the increase in the frequency of maintenance will enhance storm water conveyance and satisfy the requirements of the National Flood Insurance Program, while concurrently improving the quality of surface water in compliance with the Texas Pollutant Discharge Elimination System permit soon to be issued; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Chapter 34, Article III (entitled "Rates and Charges"), Section 34-235(b) of the City Code of the City of San Antonio is hereby amended as follows, deleted language is identified by a strike-through and added language by an underline:

(b) *Schedules of rates.* The following schedule of storm water rates shall be effective with billings on or about ~~October 17, 2002~~ December 18, 2003, and shall be applied to all billing units, except as provided by section 34-235(d), herein below. Each billing unit shall be assessed each month or fraction thereof in accordance with the following schedule:

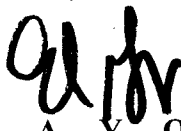
	Billing Unit (SF)	Billing Unit Per Month Charge	
Residential Storm Water Rate Schedule			
Tier 1	0-4,999	\$2.25	<u>\$2.33</u>
Tier 2	5,000 or more	\$2.98	<u>\$3.08</u>
Multifamily Storm Water Rate Schedule			
Tier 1	0 - 21,999	\$5.01	<u>\$5.18</u>
Tier 2	22,000 - 43,999	\$15.68	<u>\$16.21</u>
Tier 3	44,000 - 131,999	\$47.55	<u>\$49.15</u>
Tier 4	132,000 or more	\$226.28	<u>\$233.88</u>
Commercial/General Storm Water Rate Schedule			
Tier 1	0 - 21,999	\$12.83	<u>\$13.26</u>
Tier 2	22,000 - 43,999	\$35.10	<u>\$36.28</u>
Tier 3	44,000 - 86,999	\$62.91	<u>\$65.02</u>
Tier 4	87,000 - 131,999	\$108.42	<u>\$112.06</u>
Tier 5	132,000 or more	\$239.54	<u>\$247.59</u>
Public Storm Water Rate Schedule			
Tier 1	0 - 21,999	\$12.71	<u>\$13.14</u>
Tier 2	22,000 - 43,999	\$34.76	<u>\$35.93</u>
Tier 3	44,000 - 86,999	\$62.79	<u>\$64.90</u>
Tier 4	87,000 or more	\$106.15	<u>\$109.72</u>

SECTION 2. Should any article, section, part, paragraph, sentence, phrase, clause, or word of this Ordinance, or any appendix hereof, for any reason, be held illegal, or invalid, or any exception to or limitation upon any general provision contained in this Ordinance or its attachments or held to be unconstitutional or invalid, the remainder shall, nevertheless stand as effective and as valid as if it had been enacted and ordained without the portion held to be unconstitutional or invalid.

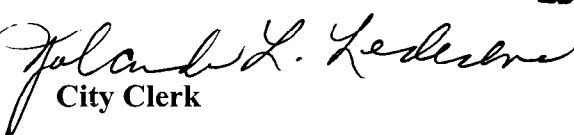
SECTION 3. All other provisions of Chapter 34, Article III of the City Code of the City of San Antonio entitled "Rates and Charges" shall remain unchanged and in full force and effect.

SECTION 4. This Ordinance shall become effective immediately upon passage by eight (8) affirmative votes, however, if this Ordinance is passed with less than eight (8) votes then it shall become effective on December 28, 2003.

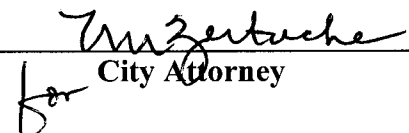
PASSED AND APPROVED this 18th day of December, 2003.


M A Y O R
EDWARD D. GARZA

ATTEST:


City Clerk

APPROVED AS TO FORM:


City Attorney